

NOTE: This order is nonprecedential.

**United States Court of Appeals
for the Federal Circuit**

SONIX TECHNOLOGY CO., LTD.,
Plaintiff-Appellee

v.

KENJI YOSHIDA, GRID IP PTE, LTD.,
Defendants-Appellants

2016-1548

Appeal from the United States District Court for the
Southern District of California in No. 3:12-cv-00380-CAB-
DHB, Judge Cathy Ann Bencivengo.

ON MOTION

Before MOORE, *Circuit Judge*.

O R D E R

The appellants Kenji Yoshida and Grid IP Pte. Ltd. notify this court of a pending post-judgment motion filed by Sonix Technology Co., Ltd. in the district court seeking attorneys' fees under 35 U.S.C. § 285. In light of Sonix's pending motion, the appellants request a stay of the briefing schedule in this appeal. The appellee has not responded.

The district court entered summary judgment of non-infringement as to three of the asserted patents and dismissed the remaining infringement claim following the appellants' covenant not to sue. On January 25, 2016, Sonix moved pursuant to § 285 to have the case determined exceptional and to be awarded reasonable attorneys' fees. Because staying proceedings in this appeal pending the district court's determination as to fees under § 285 may preserve party and court resources, the court grants the appellants' request.

Accordingly,

IT IS ORDERED THAT:

The briefing schedule in this appeal is stayed. Within seven days from the date of the district court's final determination as to an award of attorneys' fees, the parties are directed to inform this court as to how they believe this appeal should proceed. Any appeal from an award of attorneys' fees in this case will be consolidated with this appeal.

FOR THE COURT

/s/ Daniel E. O'Toole

Daniel E. O'Toole

Clerk of Court